



Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor

**Legislative Analysis**

**Intergovernmental, Recreation and Cultural  
Affairs**

July 12, 2006  
9:30 AM  
Commission Chamber

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Commission Auditor

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**Intergovernmental, Recreation and Cultural Affairs**  
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	Item No.	Subject Matter	Background	Analysis / Comments / Questions	LA
1.	1(E)1	Contract Lobbyist Performance Evaluation 2006 Legislative Session	<ul style="list-style-type: none"> <li>Office of Intergovernmental Affairs (OIA) is required to provide the BCC with an evaluation of performance for all contract lobbyists to include prime and subcontracting firms</li> <li>Performance was measured using 6 criteria (established by OIA) that include: <ol style="list-style-type: none"> <li>File bill or Community Budget Request</li> <li>Contact with legislative leadership regarding issue</li> <li>Contact with committee chair, members and staff</li> <li>Communication with OIA</li> <li>Proactive, teamwork and creativity</li> <li>Final outcome to the County</li> </ol> </li> <li>Scoring criteria includes: “O” for outstanding, “A” for acceptable and “N/A” for not applicable</li> </ul>		MBM
2.	2(A)	<p>Resolution urging the Florida Legislature to pass legislation regarding fee for service of process</p> <p>Sponsored by Commissioner Heyman</p>	<ul style="list-style-type: none"> <li>Urge legislature to pass a bill that would increase process serving fees from \$20 to \$30 to actually cover the associated costs</li> <li>Currently, the \$20 fee only covers 2/3 of associated costs.</li> <li>Miami Dade Police Department supplements the remaining process server costs</li> <li>This bill was filed in the 2006 State Legislature as SB2320 but it did not pass and this resolution urges that legislature to take this item up in the 2007 legislative session</li> </ul>		MBM



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3.	2(B)	Resolution urging the Florida Legislature to pass legislation regarding collection of delinquent tangible personal property taxes  Sponsored by Commissioner Heyman	<ul style="list-style-type: none"> <li>• Miami Dade County has an estimated \$19 million in tangible personal property taxes that go unpaid each year</li> <li>• This amount of unpaid taxes could be reduced by including provisions that would allow the Tax Collector the ability to collect more effectively by means of state statute</li> <li>• The provisions include: <u>making the owner of property liable for taxes due; authorizing tax collector to contract private attorney to collect delinquent personal property taxes; requiring delinquent tax payers to pay for cost of collections</u></li> <li>• This resolution also urges the State of Florida to include this in the 2007 legislative session.</li> </ul>	<ul style="list-style-type: none"> <li>• Applicable to <u>Tangible Personal Property Taxes not Real Estate Taxes</u></li> </ul>	MBM
4.	2(C)	Retroactive In-kind	<ul style="list-style-type: none"> <li>• <b>District 6</b></li> <li>• Park and Recreation Department to waive fees at Crandon Park to include: park fee, parking and pavilion use charges for (3) separate single-day events</li> <li>• Requesting organization: City of West Miami (government entity)</li> <li>• Event: Youth Summer Camp Field Trip for <u>6-16-06</u>, <u>7-21-06</u> and <u>8-4-06</u></li> <li>• Amount not to exceed \$1,031 to be funded by District 6 in-kind reserve fund</li> </ul>		MBM
5.	2(D)	Resolution urging natural gas and propane gas utilities to extend service throughout Miami-Dade County	<ul style="list-style-type: none"> <li>• Urge State Legislature and Florida Public Service Commission to encourage natural gas and propane utilities to extend service throughout Miami-Dade during electrical power outages caused by severe</li> </ul>		MBM



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**July 12, 2006**

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		Sponsored by Commissioner Souto	<ul style="list-style-type: none"> <li>weather storms</li> <li>Provide Departmental Policy and encourage utility companies (natural gas or propane) opportunity to install new lines as part of County projects</li> <li>Include in the Miami Dade County 2007 State Legislative Package.</li> </ul>		
6.	3(A)	FY2005-2006 Tourist Development Council (TDC) – 4 <sup>th</sup> Quarter Recommendations	<p>Funding of 14 grants for a total of \$146,500 from the Tourist Development Room Tax Plan and Surtax Category to support tourist-oriented cultural, sporting, television and special event/promotions which would enhance MDC as an attractive tourist destination.</p> <ul style="list-style-type: none"> <li>TDC grants are made on a “Reimbursement” or a “Direct” grant basis.</li> <li>Council reviewed grant request totaling \$280,000 - of which only \$146,500 is recommended for funding.</li> <li>List and recommended funding amount on handwritten pages 4.</li> </ul>		ENO
7.	3(B)	Lease Agreement	<ul style="list-style-type: none"> <li><b>District 6</b></li> <li>Agreement between the Library Department and Miami Springs for a 1300 sq. ft office space (located at 700 S. Royal Boulevard, Miami Springs) as a temporary need to provide library service to the City of Miami Springs</li> <li>The current library located in Miami Springs (401 Westward Drive) was temporary closed due to extensive damage caused by Hurricane Katrina &amp; Wilma but has since then re-opened</li> <li>The Westward library was previously scheduled for</li> </ul>	<ul style="list-style-type: none"> <li><b>Note: The GSA Management Fee has been reduced from 8% to 4%.</b></li> <li>A supplemental to this item will be forthcoming to reflect funding for the different types of repairs and renovations</li> <li>What is the timeline between when the current library will be open and when the temporary library will be open? When will both libraries be opened at the same time? If so, for how long (estimate)?</li> <li>What is the breakdown for the various funding</li> </ul>	MBM



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			<p>ADA renovations but damages the building sustained during the hurricanes have caused a need to expedite further repairs and renovations.</p> <ul style="list-style-type: none"> <li>• This lease agreement will be cancelled following the completion of the repairs and re-occupancy of the damaged library</li> <li>• Fiscal Impact \$41,811.20</li> <li>• Funding from the Library Department budget and/or GOB repair funds to be applied to the different repairs and renovations that take place to the library</li> </ul>	sources to be used for this project?	
8.	3(C)	Land Acquisition	<ul style="list-style-type: none"> <li>• <b>District 8</b></li> <li>• 9.76 acres of vacant land to be used for park use</li> <li>• Appraised value \$1,200,000 (\$122,950/acre) &amp; \$1,236,000 (\$126,639/acre)</li> <li>• Purchase price: \$1,475,000 (\$151,127/acre)</li> <li>• Pursuant to State Statue any negotiated price 18% or more must be approved by governing body.</li> <li>• Justification: County staff recommend above market value price to secure property well suited to serve as a neighborhood park in a developing community</li> <li>• Level of Service staff analysis indicates park land deficiencies in that area.</li> <li>• Funding: Land acquisition, Park Impact Fees</li> </ul>	<ul style="list-style-type: none"> <li>• What are the funding sources (and amounts) for this acquisition?</li> </ul>	MBM
9.	3(D)	Grant Proposal to Light Additional Courts at Crandon Park Tennis Center	<ul style="list-style-type: none"> <li>• County Manager to apply for \$80,000 in grant funds from the United States Tennis Association to light additional courts at the tennis center.</li> </ul>		MBM



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		<ul style="list-style-type: none"> <li>The current facility includes 16 hard courts, 6 clay courts, 2 grass courts and a grandstand (only 7 courts have lighting)</li> <li>There will be a General Obligation Bond (GOB) match of \$320,000.</li> <li>The funds used will go to light an additional 10 courts at the center</li> </ul>		
10.	3(E) Waiver of Formal Bid Procedures Allowing Payment to Entertainers to Perform and/or Exhibit at Park Facilities	<ul style="list-style-type: none"> <li>To increase the aggregate amount from <u>\$1,000, 000 to \$1,500,000 (\$500,000 increase)</u> to be used by the Parks and Recreation Department to pay performance fees for professional entertainers at various park venues</li> <li>The waiver is to remain constant for two years or until the amount (\$1,500,000) is expended and each performance is not to exceed \$50,000.</li> <li>Since 1988, <u>the Board has authorized 5 similar waiver of formal bid procedures</u> to be used for performance fees: <ol style="list-style-type: none"> <li>July 1988, for ten years or until amount is expended (\$600K) and each performance is not to exceed \$50K</li> <li><u>September 1998</u>, for ten years or until amount is expended (\$600K) and each performance not to exceed \$50K</li> <li><u>October 2001</u>, for four years or until amount is expended (\$600K) and each performance is not to exceed \$25K.</li> <li><u>October 2003</u>, for four years or until amount is expended (\$800K) and each performance is not to exceed \$50K</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Note: The amount for performance fees has increased (from \$600,000 to \$1,500,000) while the timeline to expend these amounts has been significantly reduced (from 10 to 2 years)</li> </ul>	MBM



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			5. <u>December 2004</u> , for two years or until amount is expended (\$1,000,000) and each performance is not to exceed \$50K <ul style="list-style-type: none"> <li>• <u>Justification</u>: The County purchasing and bid procedures cannot accommodate special requirements needed to book professional performers thereby requiring the waiver</li> </ul>		
11.	3(F)	Grant Proposal for Pruning Trees in Parks	<ul style="list-style-type: none"> <li>• County Manager to apply for \$50,000 in grant funds from the <u>Florida Department of Agriculture and Consumer Services 2006 Emergency Hurricane Supplemental Urban and Community Forestry Grant Program</u> to prune trees in parks</li> </ul>		MBM
12.	5(B)	Performing Arts Center (PAC) Progress Report	Using a cost comparison analysis, the PAC is <b>97% complete through May 2006</b> . <ul style="list-style-type: none"> <li>• Acceleration/Recovery Plan = \$29.746 million as of 6/27/06</li> <li>• 5897 individuals employed to date.</li> <li>• Community Small Business Enterprise (CSBE) participation               <ul style="list-style-type: none"> <li>○ Construction Management Goal = 10%; with 4 CSBE firms totaling \$5,853,738.46 (11.52% )</li> <li>○ Construction Goal = 19.11%; with 19 CSBE firms totaling \$35,514,818.26 (18.62%)</li> <li>○ See Comments/Questions</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• If the cost comparison analysis determines that the project is approximately 97% complete through May 2006, is there a possibility that funding may be exhausted before the project is 100% complete?</li> </ul> <p>The PACT states that the target for its scheduled August 2006 occupancy certificate date will be met with the present funding; however, the ongoing Acceleration/Recovery Plan will more than likely require additional funds approved by the BCC. A request for such funds should come before the Board in September/October, 2006.</p> <ul style="list-style-type: none"> <li>• The CSBE construction goal is 19.11%. The last progress report dated July 6, 2006 stated that with 19 CSBE firms, a total amount of \$40,239,225.05</li> </ul>	ENO



**Intergovernmental, Recreation and Cultural Affairs  
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				<p>or 13.74%. This report, however, states that with 19 CSBE firms a total amount of \$35,514,818.26 or 18.62% of the stated goal has been met.</p> <p><b>Why the discrepancy between the reports (specifically this item depicting an increase in the percentage along with a decrease in corresponding total amount)?</b></p>	
13.	5(D)	Report on Upcoming Special Events, Openings and Groundbreaking Ceremonies	<ul style="list-style-type: none"> <li>Schedule of special events for July 2006.</li> </ul>		ENO
14.	5(E)	Report-Customer Service at Miami International Airport (MIA)	<ul style="list-style-type: none"> <li>Report reflects requests made at 6-15-06 RTC committee by Commissioner Heyman regarding wheelchair assistance for passengers at MIA.</li> <li>The report also reflects other committee requests involving augmented volunteer program and enhanced customer service</li> <li>The Aviation Department has met with MIA's airlines, General Aeronautical Service Permittees, Greater Miami Convention &amp; Visitor's Bureau, MDT, Miami International University of Art and Design, Beacon Council in pursuit to meet these requests made at RTC on 6 -15-06.</li> </ul>		MBM
15.	6(A)	Amendments to Performing Arts Center Trust Articles of Incorporation and Establishment of New	The proposed resolution amends the Articles of Incorporation Operating Policies and Bylaws that would provide greater independence to the PACT by:	<u>On April 25, 2006, BCC bifurcated original item that included amendments to the Operating Management Agreement between the PACT and County (Resolution No. R-480-06).</u>	ENO

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	Bylaws for the Corporation	<ul style="list-style-type: none"> <li>• Allowing the addition of 3 new Trust Board positions appointed as County at-Large appointments and 6 addition Trust Board positions in the Community Representative category, enlarging the total Trust Board to 41 members from 32, with County appointing a total of 21, a majority of the Trust Board;</li> <li>• Changing the process by which County appointments are made, allowing the Trust to advise County officials of desired qualifications or expertise for Board members and to make non-binding suggestions for possible candidates (final decision left to the County officials). Presently County officials appoint from a slate of 3 nominations provided by the Trust or ask for additional nominations;</li> <li>• Removing from the existing Articles those matters relating to internal management such as meeting requirements, procedures for handling vacancies, responsibilities of committees;</li> <li>• Removing from the existing Articles the election of its officers from the Trust Board;</li> <li>• Changing the terms and references like Metropolitan Dade to Miami-Dade and Executive Director to President;</li> <li>• Clarifying the distinction between Directors and non-voting members; and</li> <li>• Changing the address of the current President and Secretary.</li> </ul>	<p><b>Note: Items moved to the Bylaws may subsequently be amended by the Trust Board without BCC approval.</b></p>	

